

**REMARKS**

In the Office Action,<sup>1</sup> the Examiner rejected claims 58, 60, 62, 66-70, 72-75, 79, 82, 83, 88, 89, 101-103, 105, 109-113, 115-118, 122, 125, 126, 131, 132, 137, and 138 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; objected to claims 59, 63-65, 71, 76-78, 80, 81, 84-87, 90-100, 106-108, 114, 119-121, 123, 124, 127-130, 133-136, and 139-143 as being dependent upon rejected base claims; and allowed claims 144 and 145.

Applicants thank the Examiner for his time during the telephone interview of August 29, 2007. This response includes a summary of the issues discussed during that interview.

Applicants respectfully traverse the § 101 rejection and the objection.

The Examiner alleges that Applicants' "claims simply recite limitations regarding receiving and storing a signal without a practical application." Office Action, p. 2. This is incorrect.

Independent claim 58, for example, recites a "method for receiving a predetermined radio broadcast signal and predetermined additional information in which acquiring information necessary to acquire music content data related to this radio broadcast signal is disposed." The claimed method includes the step of receiving the radio broadcast signal and the additional information.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Claim 58 thus recites more than solving a mathematical problem or manipulating abstract ideas, and M.P.E.P. § 2106.02, cited by the Examiner, does not apply.

Instead, claim 58 recites a practical application that produces a useful, concrete, and tangible result, such as receiving the claimed radio broadcast signal and the claimed additional information. AT&T Corp. v. Excel Communications, Inc., 172 F.3d 1352, 1358 (Fed. Cir. 1999); M.P.E.P. § 2106(iv)(c)(2)(2).

Furthermore, the background section of this application states, “[a] user may hear a song in a radio broadcast . . . [and] may wish to acquire [the song] . . . [by] go[ing] to a store to purchase the CD on which the song . . . is recorded. However, if the user desires to purchase [the] CD . . . , he must know the title and the name of the singer, etc.” Specification, p. 2, lines 3-11. A problem can arise when, “in a radio broadcast, the announcer . . . mention[s] the song’s title and the singer’s name, but . . . the user . . . miss[es] the information or hear[s] it incorrectly.” Specification, p. 2, lines 12-15. Accordingly, claim 58, for example, recites a “method for receiving . . . acquiring information [(e.g., title, artist, etc.)] necessary to acquire music content data [(e.g., CD)] related to [a] radio broadcast signal . . . comprising: . . . storing said acquiring information . . . into a main storage . . . while receiving said radio broadcast signal.”

Therefore, Applicants’ claims, as well as the specification, disclose a practical application. Applicants’ claims are statutory. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 58, 60, 62, 66-70, 72-75, 79, 82, 83, 88, 89, 101-103, 105, 109-113, 115-118, 122, 125, 126, 131, 132, 137, and 138 under 35 U.S.C. § 101. Applicants further request the Examiner to withdraw the objection to claims 59, 63-65, 71, 76-78, 80, 81, 84-87, 90-100, 106-108,

114, 119-121, 123, 124, 127-130, 133-136, and 139-143 since Applicants have shown above that the base claims from which these claims depend are allowable.

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of all pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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By: 

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